REMARKS

This is responsive to the Office Action dated August 20, 2008 (the Action). Claims 1 and 3 are objected to based on various informalities. Claims 1-12 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2005/0165795 to Myka et al. (Myka) in view of U.S. Patent No. 7,260,646 to Stefanik et al. (Stefanik).

Reconsideration is respectfully requested based on the amendments above and the remarks that follow.

I.   The Claim Objections

Applicants have amended Claims 1 and 3 to address the informalities noted on page 2 of the Action. Accordingly, Applicants respectfully request that the objections to Claims 1 and 3 be withdrawn.

II.   The Section 103 Rejections

Claim 1 as amended is reproduced below.

> 1.   (Currently Amended) A method for sharing at least one media file of a portable communication device with a set of electronic communication devices, comprising:
> detecting a setting, by a user, of the set of devices,
> generating the at least one media file by the portable communication device,
> providing meta information together with the media file, the meta information being information in relation to the electronic communication devices of the set, which were located in the region of the portable communication device, at the time of the generation of the at least one media file.
> distributing at least a link, related to the media file, to at least the electronic communication devices of the set which were located in a region of the portable communication device, *automatically* at the time of the generation of said at least one media file, wherein the media file comprises a picture, and the at least one media file is generated when the user records the picture with a camera on the portable communication device.

Independent Claims 8 and 12 includes recitations analogous to the recitations of Claim 1. In addition, Applicants have amended independent Claims 1, 8 and 12 to clarify that the link is distributed _automatically_ at the time of the generation of the at least one media file. Claims 1, 8 and 12 have been further amended to clarify that the media file includes a picture, and the media file is generated when the user records the picture with a camera on the portable communications device. Support for the amendments can be found, for example, on page 6, lines 14-23; page 7, line 44 – page 8, line 9; and on page 9, line 40. According to embodiments of the present invention, a link related to a media file can be automatically distributed, _e.g._, just after the user has taken a picture, so that media files can be more easily shared among a group of mobile devices. _See_ page 5, line 43 – page 6, line 23.

The Action cites paragraph [0049] of Myka as allegedly disclosing providing information to devices located in the region at the time of the generation of the at least one media file. However, the cited portions of Myka merely discuss monitoring an area of interest to identify potential slave devices (_see_ paragraph [0049]). Applicants submit that Myka does not disclose file distribution that is automatic at the time of the generation of the file.

In addition, distributing a file to the set of devices at the time the file is generated would destroy the purpose of Myka. In particular, Myka discusses that media files are transferred from slave devices to a master device. The master device collects media files from multiple slave devices and subsequently sends a media file collection to the slave devices. _See, e.g._, paragraph [0081]. Thus, the master device in Myka assembles media files in a collection, and the collection of media files can be subsequently communicated back to the slave or "bonded" devices. _See_ paragraph [0161]. Applicants submit that distributing a file automatically at the time of the generation of the media file when the user records the picture with a camera as recited in the independent claims would destroy the stated purpose of Myka, _i.e._, to assemble media files received from several users in a collection prior to distribution.

The missing elements of Myka are also not provided by Stefanik, which is cited as disclosing file sharing with link references. _See_ the Action, page 2. In addition, Stefanik
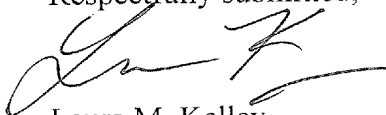
relates to distributing <u>software</u> using an identification token that identifies the source of the software distribution. *See* Abstract. Applicants submit that there is no apparent reason to combine the techniques for creating a collection of media files in Myka with the software distribution techniques of Stefanik.

For at least these reasons, Applicants submit that the recitations of independent Claims 1, 8 and 12 are not disclosed by Myka and/or Stefanik. Claims 2-7 depend from Claim 1 and Claims 9-11 depend from Claim 8. Such claims are patentable over the cited art based on the patentability of the claims from which they depend. Accordingly, Applicants request that the rejection of Claims 1-12 be withdrawn.

CONCLUSION

Accordingly, Applicants submit that the present application is in condition for allowance and the same is earnestly solicited. Should the Examiner have any small matters outstanding of resolution, he is encouraged to telephone the undersigned at 919-854-1400 for expeditious handling.
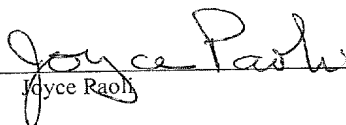
Respectfully submitted,

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CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on <u>November 20, 2008.</u>

Signature: _____
Joyce Raoli